

FILED

JAN 13 2009  
U. S. DISTRICT COURT  
E. DIST. OF MO.  
ST. LOUIS

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI

NATIONAL ROOFING INDUSTRY )  
PENSION PLAN, )  
and )  
JOHN MARTINI, )  
as trustee of the National Roofing Industry )  
Pension Plan, )  
 )  
Plaintiffs, )  
 )  
v. )  
 )  
EAGLE ROOFING CO. and DENVER )  
NICHOLS, d/b/a Eagle Roofing Co. )  
 )  
Defendants. )  
\_\_\_\_\_ )

Case No. 4:08-cv-01401-DJS

CONSENT JUDGMENT

This matter is before the Court on Plaintiffs' *Motion for Entry of Consent Judgment*. The terms of the judgment agreed to by the Plaintiffs and Defendants are set forth in the *Settlement Agreement and Consent to Entry of Judgment*, which is attached to Plaintiffs' motion. Pursuant to that Agreement, Plaintiffs and Defendants have agreed that judgment should be entered against Defendants in the amount of \$17,100.52.

WHEREAS, the Court finds that it has jurisdiction to enter judgment in this matter pursuant to §§ 502 and 515 of the Employee Retirement Income Security Act of 1974 (ERISA), 29 U.S.C. §§ 1132 and 1145; and

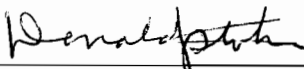
WHEREAS the Parties agree and desire that final judgment should be entered against Defendants jointly and severally in the amount of \$17,100.52; and

WHEREAS the Parties further agree that Defendants should continue to be liable for interest, calculated at the rate of 18% *per annum*, on any amount of the delinquent contributions that remain unpaid until such time as Defendants shall fully satisfy the judgment requested to be entered herein;

NOW THEREFORE, pursuant to Fed. R. Civ. P. 58, the Court ORDERS that judgment shall, and it hereby is, entered against Defendants, jointly and severally, and in favor of Plaintiffs in the amount of Seventeen Thousand, One Hundred Dollars and Fifty-Two Cents (\$17,100.52), in accordance with the terms of the *Settlement Agreement and Consent to Entry of Judgment* attached to Plaintiffs' *Motion for Entry of Consent Judgment*. Defendants shall continue to be liable for interest, calculated at the rate of 18% *per annum* on any amount of delinquent contributions that remain unpaid until such time as Defendants shall fully satisfy the judgment entered herein.

IT IS SO ORDERED.

Dated: 1 5 09

  
\_\_\_\_\_  
United States District Judge